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THE UPPER CLARK FORK RIVER BASIN RESTORATION FUND

INSTRUCTIONS AND FORMS FOR GRANT APPLICATIONS

SHORT FORM FOR:

PILOT YEAR 2000 GRANT CYCLE RESTORATION GRANTS, PROJECT DEVELOPMENT GRANTS, OR PRE-APPLICATIONS

GENERAL INFORMATION

Mining and mineral processing operations, centered in and around Butte and Anaconda, caused the release of substantial quantities of hazardous substances into the Upper Clark Fork River Basin resulting in extensive injuries to the natural resources in the area. The Upper Clark Fork River Basin ("UCFRB") refers to that portion of the watershed of the Clark Fork River extending from its headwaters, surrounding the city of Butte, downstream to and including the Milltown Reservoir just upstream of the city of Missoula. The Upper Clark Fork River Basin Restoration Fund ("UCFRB Restoration Fund") was established as a result of a partial settlement of a lawsuit filed by the State of Montana against the Atlantic Richfield Company ("ARCO") seeking damages for injury to natural resources in the UCFRB. The UCFRB Restoration Fund contains no Montana taxpayer funds, is administered by the Governor of Montana as trustee for natural resources of the State, and is established to finance projects designed to restore, rehabilitate, replace, or acquire the equivalent of the injured natural resources of the UCFRB.

This booklet contains the necessary materials to apply for: UCFRB Restoration Fund Grants, including Project Development Grants, of $10,000 or less. This form may also be used as a pre-application for future grant proposals. Applicants requesting more than $10,000 for either a restoration grant or a project development grant must submit a longer application form that is available upon request from the Natural Resource Damage Program ("NRDP") (406-444-0205). Both application forms are available electronically on the Department of Justice website at www.doj.state.mt.us.

These materials are based on the procedures and criteria for expenditures of the UCFRB Restoration Fund set out in the State's *UCFRB Restoration Plan Procedures and Criteria* document (February 2000). Applicants are encouraged to consult that document in seeking additional background on the injured natural resources, project requirements and funding selection process. This document is available on the Department of Justice website; upon request from the NRDP; or in the Butte, Anaconda, Helena, Deer Lodge, and Missoula libraries.

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APPLICATION SUBMITTAL

Applicants should submit **the original and four (4) additional copies** of your application, including copies of all supporting documentation, to:

State of Montana
Natural Resource Damage Program
Old Livestock Building
1310 E. Lockey Avenue
P.O. Box 201425
Helena, MT 59620-1425

Phone 406-444-0205

APPLICATION DEADLINES

1. **Restoration Project Grants:** Application forms for Pilot Year 2000 funding must be **delivered to the NRDP or postmarked no later than April 14, 2000.**

2. **Project Development Grants:** The application process for project development grants is "open-cycle." There is no application deadline, and applications are considered a first come first serve basis.

3. **Pre-Applications:** The application process for project development grants is "open-cycle." There is no application deadline, and pre-applications are considered a first come first serve basis.

If you have questions, or if the NRDP staff can help you in any way, please contact the NRDP office at (406) 444-0205.

PRE-APPLICATIONS (for future grant cycles monies)

This short form can be used for submittal of pre-applications. Submittal of a pre-application offers applicants the opportunity to obtain a non-binding opinion from the State on whether a particular conceptual proposal may be an appropriate project for funding out of the UCFRB Restoration Fund before going through the more time-consuming process of preparing a comprehensive proposal. **Due to time constraints, the State cannot provide pre-application determinations of proposals seeking Pilot Year 2000 grant monies.** Pre-applications for proposals seeking subsequent grant year funding may be submitted on a continuing basis.

ELIGIBILITY

Applicant eligibility: Governmental entities, private individuals who are U.S. citizens and private entities are eligible to apply for UCFRB Restoration Fund Grants.

Project type eligibility: Three types of projects are eligible for UCFRB grant funding:

1. Restoration projects that will restore, rehabilitate, replace, or acquire the equivalent of injured natural resources and/or the services lost as a result of releases of hazardous substances by ARCO or its predecessors that were the subject of the Montana v. ARCO lawsuit. For more details on types of restoration projects and these injured resources and impaired services, refer to the *UCFRB Restoration Plan Procedures and Criteria* document.

2. Planning projects that involve developing future grant proposals. Funding for project development grants is designed to promote the development of project proposals from entities that have sound restoration ideas but do not have funds available to develop those ideas.

3. Monitoring and Research projects that pertain to restoration of natural resources in the UCFRB.

Project location eligibility: Only projects that would be located in the UCFRB or projects that would restore native trout in the Big Blackfoot River Basin are eligible for funding. Activities associated with research projects do not have to occur within the UCFRB, provided the proposed research pertains to restoration of injured resources in the UCFRB.

APPLICANT RESPONSIBILITIES

If a project is approved, the applicant must enter into a grant agreement with NRDP before any funds will be received. The agreement can be negotiated after the Governor approves a project. Scopes of works and budgets are required in all agreements, and must be approved by NRDP before work begins on the project. Grant recipients must obtain all necessary work permits and work authorizations, comply with all State laws on contracting and bid procedures for construction, and follow State procurement procedures.

FUNDING SELECTION PROCESS

1. For Restoration Grand Projects:

NRDP will initially screen applications to assure that the project type and eligibility requirements are met; that the application is complete; that the estimated projects costs are a reasonable approximation; and that the applicant is qualified to undertake the project. If the NRDP determines a project does not meet minimum qualifications for funding, the applicant, within 15 days of receiving written notice of this determination, may appeal the determination to Trustee Restoration Council.

NRDP will then evaluate and rank applications meeting minimum qualifications using the criteria specified in the *UCFRB Restoration Plan Procedures and Criteria* document. In consultation with various governmental entities and the UCFRB Restoration and Remediation Education Advisory Council, NRDP will prepare draft funding recommendations for consideration of the Trustee Restoration Council. Based on public comment and input from various entities throughout the funding selection process, the Trustee Restoration Council will make recommendations to the Governor. A final funding decision is expected in December 2000.

2. For Project Development Grants:

Funding for project development grants will be considered separately from restoration grant proposals on a continuing basis. In consultation with various governmental entities and the UCFRB Restoration and Remediation Advisory Council, NRDP will make funding recommendations to the Trustee Restoration Council. Funding recommendations will be based on criteria specified in the *UCFRB Restoration Plan and Procedures and Criteria* document and on the consideration of whether the project will be implemented without project development funds.

INSTRUCTIONS FOR SUBMITTING SHORT-FORM

The following sections provide the instructions for completion of the Short-Form. **This Short-form can only be used for restoration project grants or project development grants of $10,000 or less or for pre-applications.** To ensure applications are complete, use the following checklist:

SHORT-FORM APPLICATION CHECKLIST

The following items must be included in your application:

____ **Step 1. An "Applicant Information and Project Summary Form"**

_____ **Step 2. A Project Abstract**

_____ **Step 3. Criteria Statements for 7 Required Criteria**

_____ **Step 4. A Proposal Budget**

STEP 1. APPLICANT INFORMATION AND PROJECT SUMMARY FORM (all applicants must complete this form)

1. **Name of Applicant(s)** _____

2. **Project Title** _____

3. **Type of Entity*** _____
(city, corporation, private individual, association, etc.)

(***Corporation** applicants are required to submit corporation information as follows: Articles of Incorporation, and Certificate of Good Standing. **Partnership** applicants are required to submit a Partnership Agreement and a list of the names of the Partners. **Limited Liability Company** applicants are required to submit Articles of Organization, a list of the members/managers, and Certificate of Good Standing. **Associations** are required to submit a list of members, Articles of Incorporation and Certificate of Organization. **Please attach these documents to this form.**)

4. **Precise Description of Project Location** _____

_____

_____

5. **Injured Natural Resource(s) and/or Services to be Restored, Rehabilitated, Replaced or Equivalent Acquired through Project** _____

_____

_____

_____

6. **Authorized Representative:** _____
(Name) (Title)
Mailing Address: _____
(Street/PO Box)
_____
(City/State/Zip) (Telephone)

Contact Person*: _____
(Name) (Title)
Mailing Address*: _____
(Street/PO Box)
_____
(City/State/Zip) (Telephone)

(*for Corporate, Partnership, L.L.C., or Cooperative Association applicants, list Registered Agent and Office for Service of Process)

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7. Proposed Funding Sources

On the table below, enter the source and amount of all funding that may be used for this project. Indicate all potential sources of funds that may apply to this project even if you have not yet applied for the funds or have not yet received a commitment from the source.

Funding Source	Amount				
	Grant ($)	Loan ($)	Other ($)	Total ($)	Committed source?
A. UCFRB Restoration Fund					
B.					
C.					
D.					
E.					

8. Estimated Total Project Cost $ _____

9. Private (non-Governmental) Grant Applicant Financial Information

a. Are there any lawsuits, judgments, or obligations pending for or against you? _____
b. Have you ever declared bankruptcy? _____
c. Are any of your tax returns delinquent or under dispute? _____
d. Any unpaid deficiencies? _____
e. Are you a party to a lawsuit? _____
f. Do you have any other contingent liabilities? _____
g. Do your current and deferred liabilities exceed the value of your assets? _____

Explain all YES answers in a statement attached to this form.

Certification for Individuals or Private Entities

I (We) the undersigned, have provided this financial information as part of my (our) application for a grant from the UCFRB Restoration Fund. I (We) certify that the statement is complete and accurate to the best of my (our) knowledge and I (we) authorize the State of Montana to investigate my credit worthiness and any of the matters described above.

Individual(s)

Name	Social Security No.	Signature	Date
Name	Social Security No.	Signature	Date

Social Security Numbers will be kept confidential.

Private Entities

Name of Authorizing Agent	Taxpayer ID No.	Signature	Date

10. Authorizing Statement

An authorized agent/agents representing the applicant must by his/her signature indicate that the application for funds and expenditure of matching funds, as represented, is officially authorized.

Grant Authorization

I hereby declare that the information included in and all attachments to this application are true, complete, and accurate to the best of my knowledge, and that the proposed project complies with all applicable state, local, and federal laws and regulations.

I further declare that, for _____(Project Sponsor), I am legally authorized to enter into a binding contract with the State of Montana to obtain funding if this application is approved. I understand that the Governor must authorize funding for this project.

_____ _____
Project Sponsor Date

_____
Authorized Representative (signature) Title

STEP 2. PROJECT ABSTRACT (on your own paper)

Prepare a clear and concise description of your proposal and its benefits to restoration of natural resources and/or the services lost as a result of releases of hazardous substances by ARCO or its predecessors that were the subject of Montana v. ARCO. This proposal abstract **as submitted** will be used to inform reviewers and the public of the range of proposals submitted. Your abstract should consist of no more than 300 words.

STEP 3. CRITERIA STATEMENTS (on your own paper)

The *UCFRB Restoration Plan Procedures and Criteria* document details the criteria that State will use to evaluate and rank proposals for funding. Those criteria are generally grouped as follows:

- 9 General Legal Criteria derived from natural resource damage legal requirements
- 8 General Policy Criteria that reflect the State's restoration goals and policies
- 5 criteria specific to land acquisition projects
- 2 criteria specific to monitoring and research projects

For projects that $10,000 or less, applicants are required to only address a subset of these criteria in their applications in a **criteria statement**. The State will acquire any additional information needed to evaluate the other criteria; however, applicants **may** submit any pertinent information they wish the State to consider. The following section outlines the criteria for which an applicant response is **required** and the criteria for which an applicant response is **optional**.

Required Criteria Statements: (on your own paper)

For each criterion indicated below, please provide sufficient information in your application criteria statement about the proposed project to allow the State to evaluate your proposal as it relates to that specific criterion.

1. **Pilot Year 2000 Priority:** During the Pilot Year 2000 Grant Cycle, only a limited number of projects will be funded. In this criteria statement, indicate why the project needs to be funded in the Pilot Year 2000 Grant Cycle and should not wait for funding in subsequent years.

2. **Technical Feasibility:** This criteria statement should address the degree to which a project employs well-known and accepted technologies and the likelihood that a project will achieve its objectives. In addressing technical feasibility, the applicant will be providing information that constitutes the scope of work for a grant agreement.

    a) Identify the project goals and objectives.
    b) Discuss the project history and describe related work previously conducted.
    c) Describe in chronological order the individual tasks or activities necessary to accomplish the work under each objective. Indicate any contracted tasks or activities.
    d) Provide a project time frame for each task and activity.
    e) Identify the staff and level of effort for each task and activity.
    f) Discuss any necessary coordination with local entities and landowners.

g) Describe how the project employs well-known and accepted technologies or innovative technologies. Include any examples of when this approach has been successfully employed previously. Identify any uncertainties.
h) Provide any pertinent supporting technical documentation, including:
   - A summary of the natural features of the project area, such as soils, vegetation, and hydrology.
   - A topographic map or aerial photograph that shows the project location.
   - Pertinent references regarding technical feasibility of the project.
   - Identify any licenses, permits, or other agreements (e.g. right-of-way agreements, easements, property agreements) necessary to complete the projects.

3. **Relationship of Expected Costs to Expected Benefits:** Describe, and if possible, quantify the projects' direct and indirect costs and benefits. Benefits and costs of the project are "direct" if they apply to a targeted group of people and/or the natural resources and services that are affected by the project. "Indirect" benefits and costs apply to the general public and resources and services that are affected by the project but are not specifically targeted. For land acquisition projects, provide a copy of any appraisal documents you have obtained.

4. **Cost Effectiveness:** Describe the alternatives to the proposed project that were considered, including the no action alternative. Provide justification on how the proposed project provides the greatest net benefit in comparison to alternatives.

5. **Impacts to the Environment and Human Health and Safety:** Describe the proposal' s potential impacts to the environment and human health and safety. Where a potentially adverse impact to the environment or human health and safety could arise from the project in the short term or long term, describe the measures that will be taken to mitigate these potential impacts.

6. **Public Support:** Describe the type and level of public support for your proposal and provide available letters of public support.

Optional Criteria Statements:

The other criteria the state will consider in evaluating applications that applicants may briefly address in their application if they desire are:

- **Results of Superfund Response Actions:** How does the project coordinate or conflict with ongoing or pending Superfund response actions.

- **Recovery Period and Potential for Natural Recovery:** How does the project enhance the potential for natural recovery?

- **Resources of Special Interest:** Does the project involve resources or other matters of special interest to the Confederated Salish and Kootenai Tribes or the Department of Interior such as tribal cultural or religious sites?
- **Project Location:** How close is the geographic area of the project relative to the site of natural resource injury?

- **Actual Restoration of Injured Resources:** Does the project actually restore injured natural resources?

- **Relationship between Service Lost and Service Restoration:** How similar are the services that are being replaced to those that were lost?

- **Project Beneficiaries and Collateral Benefits:** How similar are the persons and natural resources that benefit from the proposal to those that were originally harmed?

- **Ecosystem Considerations, Coordination, and Integration:** How does the project coordinate with other ongoing or planned efforts to improve natural resources in the Basin?

- **Normal Government Functions**: Explain how this project is outside of normal agency responsibility/funding.

STEP 4. PROPOSAL BUDGET (on your own paper)

Using the format below or a format with the same level of detail, provide the budget estimate. Provide a breakdown of major items in the contracted services and equipment categories. For funding sources other than the UCFRB Restoration Fund, indicate the status of funding commitment.

[Budget estimate table format]

EXPENSE CATEGORY	UCFRB Rest. Fund	Applicant Contribution	Other Sources (name)	TOTAL
1. SALARIES & WAGES				
2. EMPLOYEE BENEFITS				
3. CONTRACTED SERVICES				
4. SUPPLIES & MATERIALS				
5. COMMUNICATIONS				
6. TRAVEL				
7. RENT & UTILITIES				
8. EQUIPMENT				
9. MISCELLANEOUS				
TOTAL $				